



PLANNING & ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	11/09/10	AGENDA REQUEST NO:	V-A
INITIATED BY:	LISA KOCICH-MEYER, AICP, SENIOR PLANNER <i>LM</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	LISA KOCICH-MEYER, AICP, SENIOR PLANNER	ASSISTANT PLANNING DIRECTOR	N/A
		ADDITIONAL APPROVAL:	N/A
SUBJECT / PROCEEDING:	REZONE APPROXIMATELY 15.9 ACRES LOCATED AT THE NORTHWEST INTERSECTION OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN TELFAIR FROM INTERIM R-1 TO PLANNED DEVELOPMENT (PD) DISTRICT FOR A GENERAL DEVELOPMENT PLAN PUBLIC HEARING, DISCUSSION AND DIRECTION		
EXHIBITS:	STAFF REPORT, VICINITY MAP, GENERAL PLAN, PROPOSED GENERAL DEVELOPMENT PLAN, APPLICATION, PUBLIC HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	N/A	INTERIM PLANNING DIRECTOR:	DOUGLAS P. SCHOMBURG, AICP <i>D.P.S.</i>
RECOMMENDED ACTION			
Public Hearing followed by Discussion and Direction from the Commission.			
EXECUTIVE SUMMARY			
<p>This permanent zoning request is for 15.90 acres of land located at the northwest corner of the intersection of New Territory Boulevard and University Boulevard in the Telfair. This is the first step in a two-step permanent zoning process for the proposed Telfair Central Commercial Planned Development (PD) District and is a general development plan request. The property was annexed into the corporate limits of Sugar Land under Ordinance No. 1431 on July 1, 2004, with interim R-1 zoning applied to all of the Telfair property. The proposed PD zoning is in conformance with the amended General Plan for Telfair as approved by City Council in November 2009. The Telfair General Plan shows this area to be developed as commercial and is included in the area designated to be a future PD area.</p> <p>The General Development Plan for the proposed PD district includes both commercial and open space land uses. The commercial uses are similar to those permitted in the Neighborhood Business (B-1) zoning district, which would be the default zoning district for items not addressed in the PD ordinance. It is currently proposed to be divided into four quadrants and contains frontage to the Telfair main lake. The proposed PD is directly adjacent to and designed to be integrated with the proposed Telfair Central Residential PD to the north.</p>			

This project was presented to the Commission in workshop format on August 26, 2010. Following a number of general questions regarding the project, overall feedback on the Telfair Central Commercial PD District proposal was positive. Hearing initial feedback from the Commission on issues related to signage and certain proposed uses has resulted in some changes to the PD proposal as originally presented at the August 2010 Workshop. The details of those changes are provided in this report below. This item is for the Public Hearing; consideration and action will be held at a subsequent Commission meeting.

File No. 12652

Cc: Stan Winter, TBG, Inc; stan.winter@tbg-inc.com

Tim White, Newland Communities, twhite@newlandco.com

EXHIBITS

Staff Report:

PLANNED DEVELOPMENT (PD) DISTRICT INTENT AND MINIMUM SIZE:

Development Code, Chapter Two, Article II, Sec. 2-172. Intent.

“The planned development district allows for a development containing uses or a combination of uses in a design that would not otherwise comply with the regulations of the primary zoning districts, but does provide an overall design, increased Open Space, or other features or amenities that results in a superior development or offer special benefits to the community. A planned development district may not be used for the primary purpose of avoiding the zoning regulations applicable to the primary zoning districts.”

The PD District will be a tailored zoning district that specifies future development character such as land use, buffer zones, and bulk restrictions that regulate height, area and density. The applicant will have additional opportunities to discuss special benefits to the community at the public hearings.

Chapter Two, Article II, Sec. 2-173. Minimum Size.

“A district containing only Residential Uses will not be created unless it contains at least 10 acres. A district containing both Residential and Nonresidential Uses will not be created unless it contains at least 25 acres of land. The Commission may recommend approval of and the Council may approve a district with less land than specified in this section, if the developer clearly demonstrates that a smaller district would achieve the intent of the district.”

Commercial-use Planned Development (PD) Districts without a residential component do not have a minimum size requirement. Therefore, this PD may not be recommended for denial on that basis.

GENERAL SITE INFORMATION:

Compliance with Comprehensive Plan	This proposal is not in conflict with the Comprehensive Plan.
Compliance with General Plan	Telfair General Plan Amend. No. 4 indicates Commercial and designates this area as a future PD.
Subject Property	Interim Standard Single Family Residential (R-1)
Surrounding Zoning	North: Interim Standard Single-Family Residential (R-1) with proposed PD in process South: Telfair Central Planned Development (PD) East: Standard Single-Family Residential (R-1) West: Standard Single-Family Residential (R-1)
Surrounding Land Use	North: Undeveloped South: Houston Museum of Natural Science at Sugar Land and vacant land East: Developing Single-Family Residential West: Developing Single-Family Residential

COMPREHENSIVE/LAND USE PLAN APPLICATION:

The Telfair General Plan Amendment No. 4 (approved in November 2009) indicates that the Telfair Central Commercial property would be a part of an area which was intended to be commercial. The proposal for the Telfair Central Commercial PD is consistent with the intent of the General Plan.

DETAILED INFORMATION

The proposed Planned Development (PD) District will contain a total of 15.9 acres. The district will be created through a two-step PD process, which will consist of a General Development Plan to rezone the total acreage from interim-R-1 to PD and from PD to PD (General Development Plan to Final Development Plan).

The proposed General Development Plan includes regulations which will apply to the all property within the district and will provide a framework and guidance for the Final Development Plan. The 15.9 acres is divided into four districts, A-D, and certain land uses are permitted in certain districts only. The attached Permitted Uses matrix is color coded according to the General Site Plan and provides permitted land uses by district. Outside display or storage of merchandise and On-site storage of feet vehicles is not permitted. The applicant is requesting that Outside storage of equipment be permitted if it is not visible from a public street. Our initial analysis of this proposal is that “equipment” is not adequately defined within the proposal, and may not be consistent with typical B-1, B-O, and B-2 commercial zoning.

Proposed Planned Development (PD):

The draft General Development Plan (attached), which will become the PD Ordinance, consists of several elements and exhibits including:

- General Development Plan regulations
- General Layout Plan

- Permitted Use List
- Trails & Access Plan

COMPARISION OF PD DISTRICT AND R-1 DISTRICT REQUIREMENTS:

Lot Development Regulations:

	B-1	PD
<i>Minimum building setbacks</i>	a) University and New Territory Blvds: 40 feet b) Abutting residential zoning district to the north: 25 feet d) Abutting Telfair Lake greenbelt to the west: 25 feet e) Abutting internal streets or access easements: 10 feet f) All other: 10 feet	a) University and New Territory Blvds: 40 feet b) Abutting residential zoning district to the north: 25 feet d) Abutting Telfair Lake greenbelt to the west: 5 feet e) Abutting internal streets or access easements: 10 feet f) All other: 0 feet
<i>Minimum Parking Lot Setbacks</i>	a) University Blvd lot lines: 15 feet b) New Territory Blvd. lot lines: 15 feet c) Abutting residential zoning district to the north: 6' feet d) Telfair Lake greenbelt lot lines: 6 feet e) Abutting internal streets or access easements: 6 feet f) All other: 6 feet	a) University Blvd. lot lines: 40 feet b) New Territory Blvd. lot lines: 30 feet c) Abutting residential zoning district to the north: 25 feet d) Telfair Lake greenbelt lot lines: 10 feet e) Abutting internal streets or access easements: 10 feet f) All other: 0 feet
<i>Maximum height of structures</i>	2 ½ stories or 35 feet, + Bulk Plane requirements	40 feet

Landscape Regulations:

	B-1	PD
<i>Minimum widths for landscape buffers</i>	a) University Blvd: 15 feet b) New Territory Blvd: 15 feet c) Residential zoning district to the north: 6 feet d) Telfair Lake greenbelt to the west: 6 feet e) Internal streets or access easements: 6' feet f) All other: 6 feet	Continuous along: a) University Blvd: 40 feet b) New Territory Blvd: 30 feet c) Residential zoning district to the north: 25 feet d) Telfair Lake greenbelt to the west: 5 feet e) Internal streets or access easements: 10 feet f) All other: 0 feet
<i>Minimum Open Space</i>	20% of Lot area but can include paving	15% of Lot area (includes landscape buffers) and Open Space defined as "green space"

Open Space:

PD District-

Includes a definition of “open space” that does not allow buildings, parking lots, driveways, improved pedestrian areas (outside of publicly accessible plazas), or other impermeable surfaces to count, and requires an overall 15% minimum for the acreage. This type of open space is where open space is essentially “green space” in a development.

B-1 District-

Development Code defines open space as any area not covered by building footprint; impermeable surfaces such as driveways and sidewalks can count as open space

Landscape and Pedestrian Circulation:

PD District-

The PD District is proposing that Shade trees in the 25-foot wide landscape buffer adjacent to the residential zoning district to the north shall be spaced a minimum of 15 feet on center and that a continuous hedge will be a minimum of 3 feet in height. In addition the shade trees shall have a minimum 4-inch caliper and minimum 10-foot height when planted.

The PD also requires a minimum 6 foot sidewalk along University and New Territory Boulevards and continuous sidewalks along all public roadways and internal access easements. The PD also requires a minimum 5-foot paved pedestrian walkway connecting a building entrance to a sidewalk be provided.

Current Non-residential regulations-

Per Chapter 3 of the Development Code, one Shade tree for every 30 feet of lot width is required if the premise abutting the opposite side of the street is used or zoned for Residential use or one Shade tree for every 50 feet of lot width if the premise abutting the opposite side of the street is used or zoned for a Nonresidential use. Shade trees must be a minimum of 7 feet in height at planting must have an average mature crown spread of at least 15 feet in diameter.

Building Materials Standards:

PD District-

The proposed PD District does not provide any specific Building Finish standards. The applicant has not indicated whether building finishes will be included within a future PD Final Development Plan or default to the standard B-1 zoning district regulations.

B-1 District-

In the Neighborhood Business (B-1) district, 70% of the Exterior Finish must be of a Primary Finish and the remaining portion of an Exterior Wall that is not required to be constructed of a Primary Finish must be constructed of a Secondary Finish.

Paving Requirements:

PD District-

- Parking lots, driveways, and vehicle use areas (outside of individual building parcels) shall be constructed of concrete.
- Driveways and private access easements (within individual building parcels) shall be either concrete or interlocking pavers (per City design standards)

B-1 District-

Parking lots, driveways, and vehicle use areas shall be constructed of either concrete or asphalt. Pavers are not required.

WORKSHOP

On August 26, 2010, Planning and Zoning Commission held a workshop to receive an overview of Development Plans for three areas within the Telfair Development – a Final Development Plan for Telfair Central Residential Planned Development, a General Development Plan for the Telfair Central Commercial Planned Development, and a General Plan for the Telfair Center Lakefront Planned Development. The intent of the workshop was to allow the applicant to present information regarding the proposed Planned Development (PD) rezonings, and to receive input from the Commission on the proposals. Overall the feedback was positive regarding the proposed Telfair Central Commercial PD. Hearing initial feedback from the Commission on several issues pointed out by Staff has resulted in some changes to the PD proposal as originally presented at the August Workshop. The details of those changes and outstanding items are provided below.

Signage -

- **The original PD district draft proposed signage that exceeds the City's maximum height and square footage in the remainder of the City. Staff pointed out that no other PD provides for larger signs than allowed in the standard zoning districts. The Planning Department did not believe that larger signage accomplishes the intent of a PD, which is to be a superior development. Commission provided feedback that they did not want to support deviations from the City's current signage regulations.**
- **The revised PD district draft removes the proposed deviations from the City's current sign regulations in this PD. All references for sign regulations have been deleted from this request and the requirements for the future placement and size of signs will comply with the City's current signage regulations.**

Proposed Uses -

- **The original PD district draft proposed a use list containing several uses which may not be compatible with surrounding areas or required additional steps, which are listed below:**
 - **Gasoline service station (with convenience store or carwash)**
 - **Fireworks sales (in SIC 5999)**
 - **Heavy construction equipment and leasing (SIC 7359 in Major Group 73))**
 - **Detective and armored car service (SIC 7381 in Major Group 73))**
 - **Residential Care (staff is not recommending against this use, but believes it merits further discussion)**
 - **Townhomes and Condominiums – This use would require an amendment to the Telfair General Plan, as this area is not shown to currently allow for residential uses on the General Plan. Additionally, a prior council resolution specifies a maximum of 70% residential use in the entire Telfair Development. In order to construct residential units on this site, calculations would need to be verified to insure this requirement is complied with.**
- **The revised PD district draft has been modified to:**
 - **Remove many of the uses originally discussed by Commission including:**
 - **Used Merchandise Store (SIC 5932)**
 - **Automatic Merchandising Machine Operators (vending) (SIC 5962)**

- Dwellings - Single Family Attached Town Homes/Condominiums (Non-Classifiable)
- Further refine the uses within:
 - Miscellaneous Retail Stores (SIC 5999)
 - Miscellaneous Personal Services (SIC 7299)
 - Business Services (Major Group 73)
- Provide specific conditions for uses including:
 - Child Day Care Center (SIC 8351)
 - Residential Care (SIC 8361)
- Restrict the maximum square footage requirement (20,000 sq.ft) for:
 - Lawn and Garden Supply Store (SIC 5261)
 - Grocery Store (SIC 5411)
 - Meat and Fish Market (SIC 5421)
 - Miscellaneous Food Stores, except Poultry Dealers (retail) (SIC 5499)
 - Apparel and Accessory Stores (Major Group 56)

Outstanding issues:

However, the proposed PD district still contains allowances for the following use which Commission provided feedback on and additionally staff does not believe is appropriate at this location.

- Gasoline Service Stations (with convenience store) (SIC 5541) – The applicant has proposed limiting this use to District A only, the corner tract at University Blvd. and New Territory Blvd.

PUBLIC HEARING:

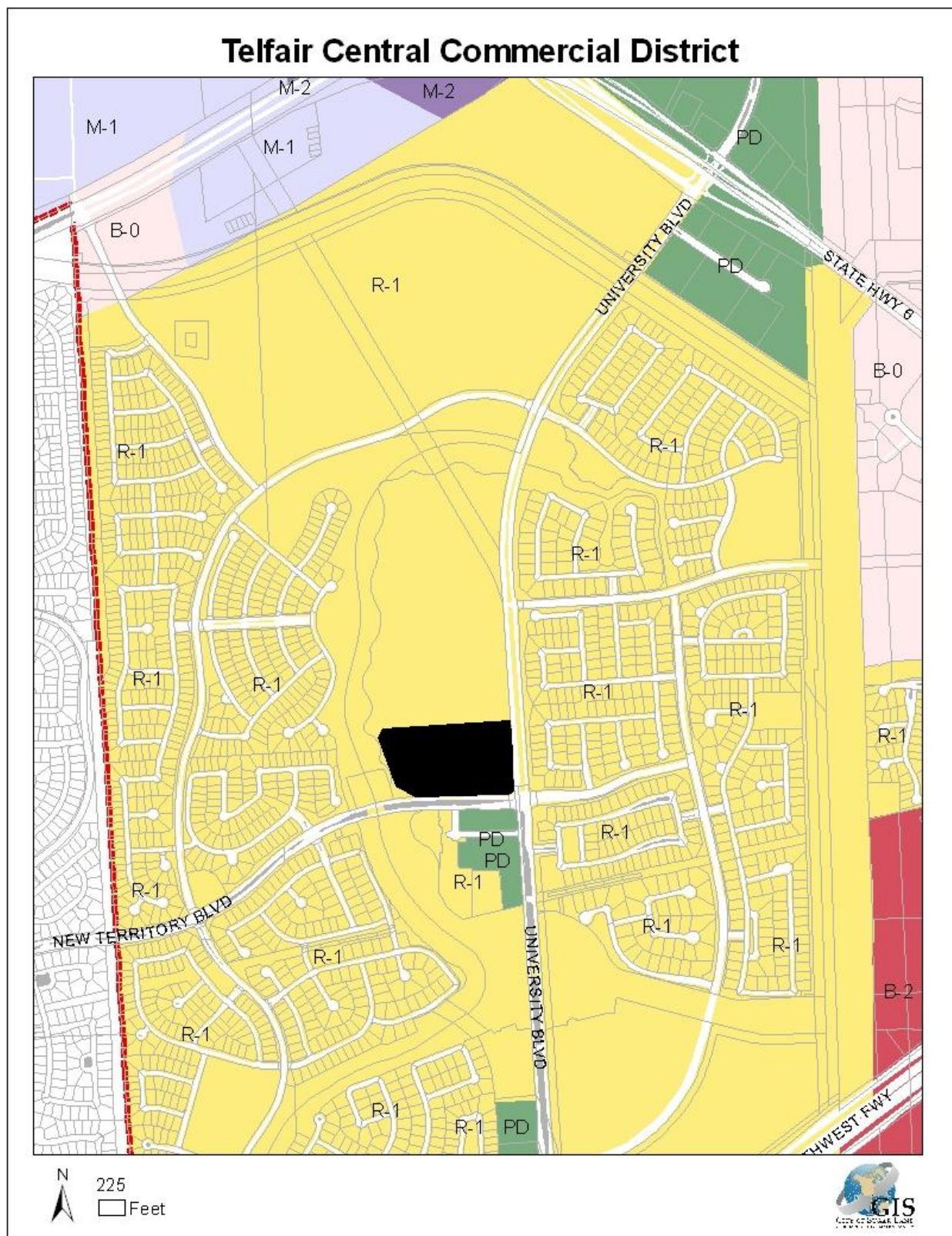
The Notice of Public Hearing was published in a newspaper of general circulation, all property owners within 200 feet of the proposed site were notified, and the public hearing notice was published on the City of Sugar Land's Internet Home Page. Staff has received two informational inquiries regarding this request at the time of writing this report. At present, staff is not aware of any opposition to the proposed rezoning to Planned Development (PD).

KEY POINTS FOR CONSIDERATION:

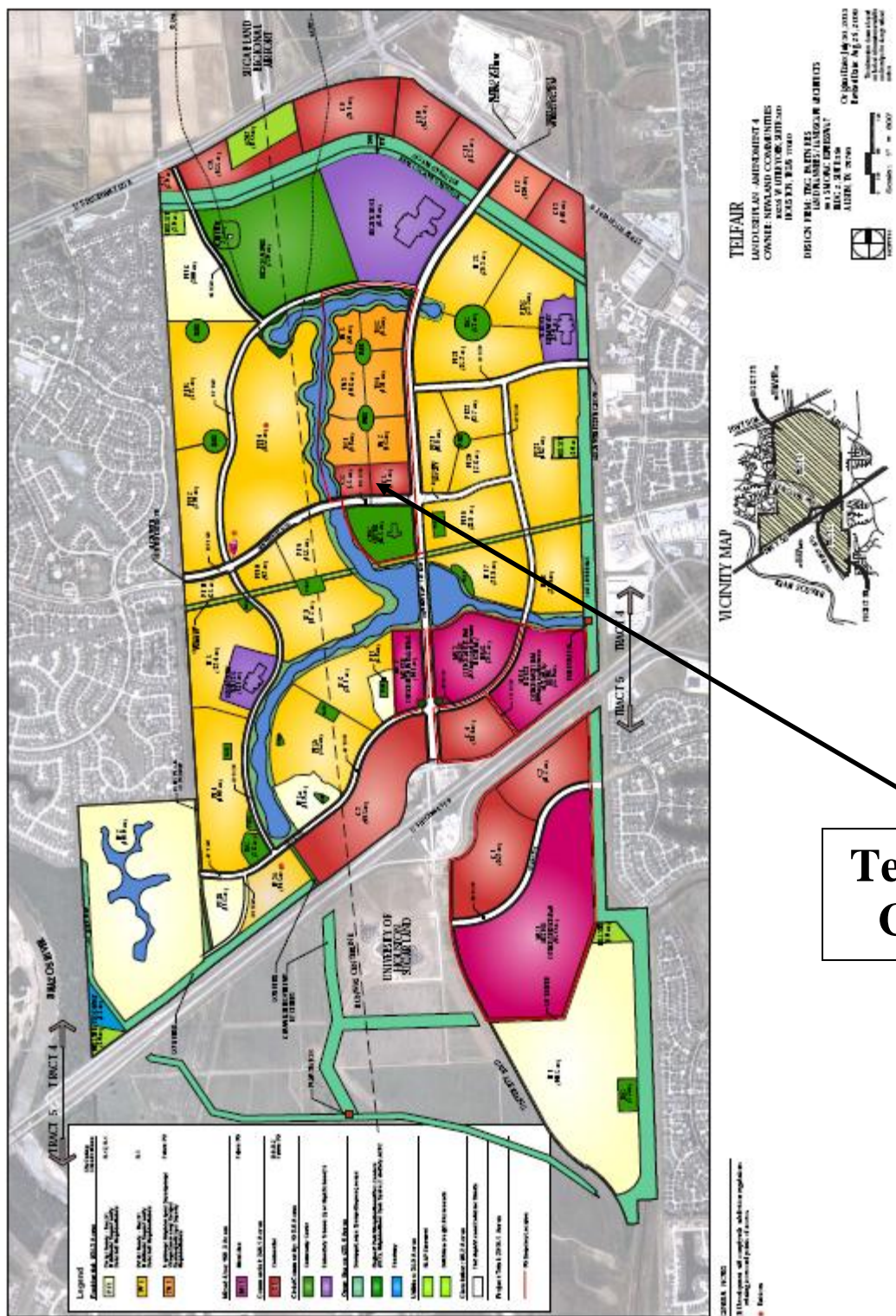
The following is provided for Commission consideration:

- The 15.9-acre request is not in conflict with PD District size criteria under Chapter 2, Art. II of the Development and appears to meet the intent of the PD district
- Telfair General Plan provides for PD District zoning for this site.
- Landscaping regulations meet or exceed B-1 District requirements, and definition of open space as excluding parking lots and other impermeable surfaces is more restrictive than current Development Code
- PD process will provide certainty of site layout commercial and the interaction with the proposed adjacent residential PD to the north
- Initial analysis of the proposal has found that the proposed outside storage of “equipment” may need further definition. Due to the small acreage of the overall PD, this may not be appropriate.
- The Commission should consider whether defaulting to the B-1 building finish standards is appropriate at this location, or whether building finishes should be further defined at the Final Development Plan. We believe that it may be appropriate to specify finishes since this submittal is a Planned Development District which places it at a higher standard and quality than the B-1 District.
- The Planning Department has identified compatability issues with gasoline sales at this location. The Commission discussed this topic at the workshop and some members also expressed concern regarding the appropriateness of intensive gas sales at the northwest intersection of University Boulevard and New Territory Boulevard. In the B-1 and B-2 District gas sales require a CUP.
- Further clarification in use tables where items are shown in multiple districts, but are excluded from certain districts by note. Consistency is needed.

Vicinity Map: Proposed Telfair Central Commercial PD District



Approved Telfair General Plan (Amendment No. 4, Approved November 2009):



Proposed General Development Plan (Draft – Page 1 of 10)

EXHIBIT B GENERAL DEVELOPMENT PLAN (Telfair Central Commercial District)

A. Contents. This general development plan contains the following parts:

- General Provisions
- Land Uses
- Development Regulations
- Landscape and Pedestrian Circulation Regulations
- Additional Regulations

B. General Provisions.

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-1 (Neighborhood Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-1 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.

2. Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:

Open Space means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas (outside of publicly accessible plazas), or other impermeable material.

PD means the planned development district created by this ordinance.

Pavers mean colored interlocking bricks, tiles, stones, blocks, or concrete units.

C. Land Uses.

1. The PD is divided into four districts, labeled A – D, as shown on Exhibit B-1, *General Site Plan*.
2. Permitted land uses for the PD are listed in Exhibit B-2, *Permitted Uses*. Certain land uses are limited in location as noted. All other land uses are prohibited.
3. Drive-through lanes associated with any use are prohibited in district “C” as defined on Exhibit B-1, *General Site Plan*, and in district “D” within 200 feet of the adjacent residential zoning district.

D. Development Regulations.

1. Maximum height of structures: 40 feet above ground level
2. Minimum building setbacks:

Proposed General Development Plan (Draft – Page 2 of 10)

- (a) Abutting University and New Territory Blvds: 40 feet
- (b) Abutting residential zoning district to the north: 25 feet
- (c) Abutting Telfair Lake greenbelt to the west: 5 feet
- (d) Abutting internal streets or access easements: 10 feet
- (e) All other: 0 feet

3. Minimum parking lot setbacks:

- (a) University Boulevard lot lines: 40 feet
- (b) New Territory lot lines: 30 feet
- (c) Abutting residential zoning district to the north: 25 feet
- (d) Telfair Lake greenbelt lot lines: 10 feet
- (e) Abutting internal streets or access easements: 10 feet
- (f) All other: 0 feet

4. Paving:

- (a) All parking lots, driveways, and vehicle use areas outside of individual building parcels must be constructed of concrete.
- (b) All driveways and access easements within individual building parcels may be paved with a concrete surface or interlocking pavers supported by a 6 inch reinforced concrete tray and a sub-grade per City design standards.

E. Landscape and Pedestrian Circulation Regulations.

1. Minimum widths for landscape buffers, continuous along:

- (a) University Boulevard: 40 feet
- (b) New Territory Boulevard: 30 feet
- (c) Residential zoning district to north: 25 feet
- (d) Telfair Lake greenbelt: 5 feet
- (e) Internal streets or access easements: 10 feet
- (f) All other: 0 feet

2. Minimum 15% open space of lot area, inclusive of landscape buffers

3. The 25-foot wide landscape buffer adjacent to the residential zoning district to the north, shall include, at time of planting, shade trees with a minimum spacing of 15 feet on center and a continuous hedge with a minimum height of 3 feet.

4. Shade trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.

5. Outdoor spaces including parks, squares, streetscapes, or plazas will be provided within the PD that are accessible to the general public.

6. Sidewalks:

- (a) Continuous sidewalks required along all public roadways and internal access easements.
- (b) Minimum 6-foot width required along University and New Territory Boulevards.
- (c) A minimum 5-foot width, paved pedestrian walkway shall connect a building entrance to a sidewalk paralleling a roadway.

Proposed General Development Plan (Draft – Page 3 of 10)

F. Additional Regulations.

1. Outside display or storage of merchandise is not permitted.
2. On-site storage of fleet vehicles is not permitted.
3. Outside storage of equipment is not permitted where visible from a public street

Proposed General Development Plan (Draft – Page 4 of 10)

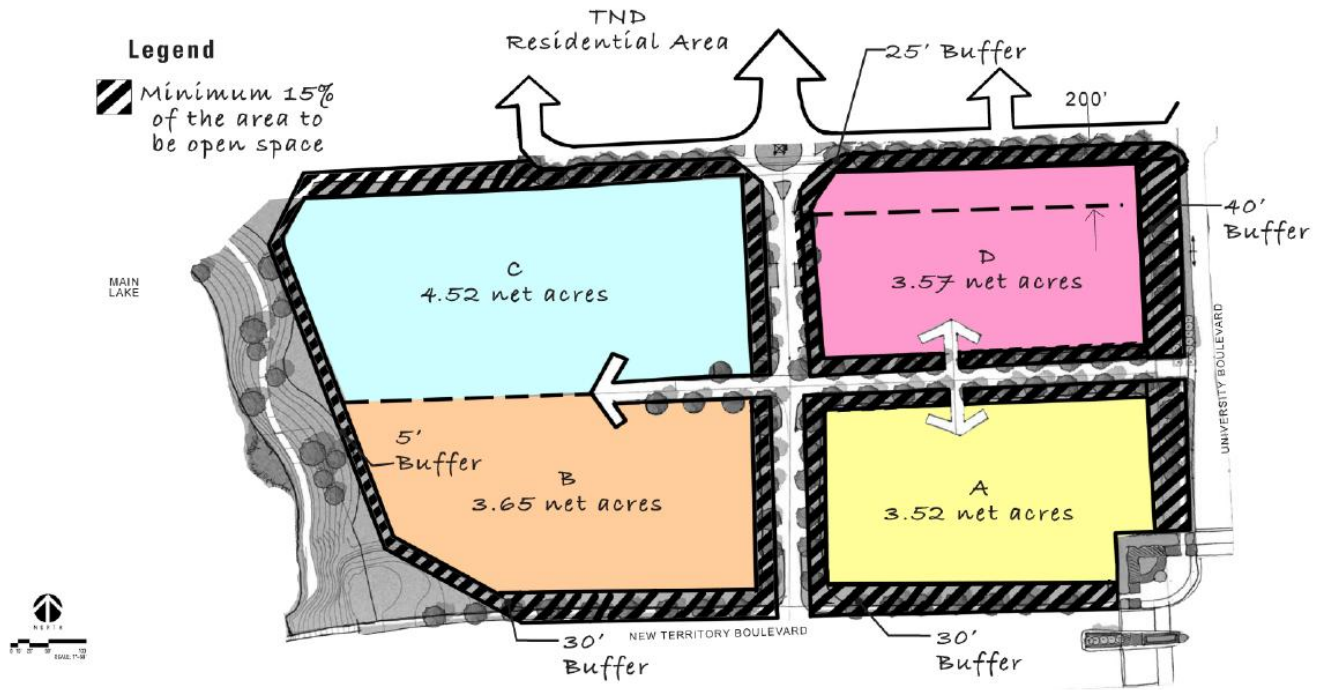


Exhibit B-1

Telfair - Central Commercial District
General Plan

T B G

The information shown is based on the best information available and is subject to change without notice.

Exhibit B-2
Permitted Uses

USES	SIC CODE	A	B	C	D	See note:
AGRICULTURE, FORESTRY AND FISHING						
Animal Specialties – Small Animal Veterinarian Clinic Only	742	X	X	X	X	
RETAIL:						
Travel Agencies	4724	X	X	X	X	
Radiotelephone Communications	4812	X	X	X	X	
Telephone Communications, except Radiotelephone	4813	X	X	X	X	
Telegraph and other Message Communications	4822	X	X	X	X	
Cable and Other Pay Television Services	4841	X	X	X	X	
Paint, Glass and Wallpaper Stores (10,000 sq ft maximum per store)	5231	X	X		X	1
Hardware Stores	5251	X	X		X	1,5
Lawn & Garden Supply Stores	5261	X	X		X	1,5
Misc. General Merchandise, only as follows:	5399	X	X		X	1,5
Catalog Showrooms, General Merchandise; Except Catalog						
Country General Stores-Retail						
General Merchandise Stores-Retail						
General Stores-Retail						
Grocery Stores	5411	X	X		X	1,5
Meat and Fish (Seafood) Markets	5421	X	X		X	1,5
Fruit and Vegetable Markets	5431	X	X		X	1
Candy, Nut and Confectionery Stores	5441	X	X		X	
Retail Bakeries	5461	X	X	X	X	
Miscellaneous Food Stores, except Poultry Dealers (retail)	5499	X	X	X	X	5
Gasoline Service Stations (convenience store)	5541	X				2,3
Apparel and Accessory Stores	56	X	X	X	X	5
Home Furniture, Furnishings, and Equipment (15,000 s.f. max per store)	57	X	X		X	1

Proposed General Development Plan (Draft – Page 6 of 10)

USES	SIC CODE	A	B	C	D	See note:
Eating Places, excluding Drinking Places	58	X	X		X	1
Drug Stores and Proprietary Stores	5912	X	X	X	X	
Sporting Goods Stores and Bicycle Shops	5941	X	X	X	X	
Book Stores	5942	X	X	X	X	
Stationery Stores	5943	X	X	X	X	
Jewelry Stores	5944	X	X	X	X	
Hobby, Toy, and Game Shops (10,000 s.f. maximum per shop)	5945	X	X		C	1
Camera and Photographic Supply Stores	5946	X	X	X	X	
Gift, Novelty, and Souvenir Shops	5947	X	X	X	X	
Luggage and Leather Goods	5948	X	X	X	X	
Sewing, Needlework, and Piece Goods Stores	5949	X	X	X	X	
Catalog and Mail-Order Houses	5961	X	X	X	X	
Direct Selling Establishments (telephone or house-to-house)	5963	X	X	X	X	
Florists	5992	X	X	X	X	
Tobacco Stores excluding Stands	5993	X	X	X	X	2
News Dealers and Newsstands	5994	X	X			2
Optical Goods Stores	5995	X	X	X	X	
Miscellaneous Retail Stores (not elsewhere classified, limited to:)	5999	X	X	X	X	
Architectural Supplies, Art Dealers, Artificial Flowers, Artists' Supply and Material Stores, Auction Rooms (general merchandise), Autograph and Philatelist Supply Stores, Awing Shops, Baby Carriages, Baking and Cake Decorating Supply Stores, Banner Shops, Candle Shops, Coin Shops (except mail-order), Cosmetics Stores, Electric Razor Shops, Flag Shops, Gem Stones (rough), Gravestones (finished), Hearing Aids, Hot Tubs, Ice Dealers, Monuments (finished to custom order) Orthopedic and Artificial Limb Stores, Pet Food Stores, Pet Shops (no outdoor runs allowed), Picture Frames (ready-made), Police Supply Stores, Religious Goods Stores (other than books), Rock and Stone Specimens, Rubber Stamp Stores, Sales Barns, Stamps-Philatelist (except mail-order), Stones, Crystalline (rough), Swimming Pools-Home						

Proposed General Development Plan (Draft – Page 7 of 10)

USES	SIC CODE	A	B	C	D	See note:
(not installed), Telephone Stores, Telescopes, Tent Shops, Tombstones, Trophy Shops, Typewriter Stores, Whirlpool Baths						
<u>FINANCE, INSURANCE, AND REAL ESTATE:</u>						
Depository Institutions (Drive-through optional), except:	60	X	X	X	X	
- Check Cashing Agencies	6099					
Non-Depository Institutions	61	X	X	X	X	
Security and Commodity Brokers, Dealers, Exchanges, Services	62	X	X	X	X	
Insurance Carriers	63	X	X	X	X	
Insurance Agents, Brokers, and Service	64	X	X	X	X	
Real Estate	65	X	X	X	X	
Holding and Other Investment Offices	67	X	X	X	X	
<u>SERVICES:</u>						
Garment Pressing, and Agents for Laundries and Dry Cleaners (pressing and pickup-drop off only)	7212	X	X	X	X	
Photographic Studios, Portraits	7221	X	X	X	X	
Beauty Shop	7231	X	X	X	X	
Barber Shop	7241	X	X	X	X	
Shoe Repair Shop and Shoeshine Parlors	7251	X	X	X	X	
Tax Return Preparation	7291	X	X	X	X	
Miscellaneous Personal Services, not elsewhere classified, limited to:	7299	X	X	X	X	
Formal Wear and Costume Rental, Professional, Scientific, and Technical Services including consumer credit and debt counseling services, Employment Placement Agencies, Other support services including consumer bartering services, Diet and Weight Reducing Centers, Personal Care Services including personal caregivers, companions, personal attendants, home care aides and direct support professionals						
Business Services, except:	73	X	X	X	X	

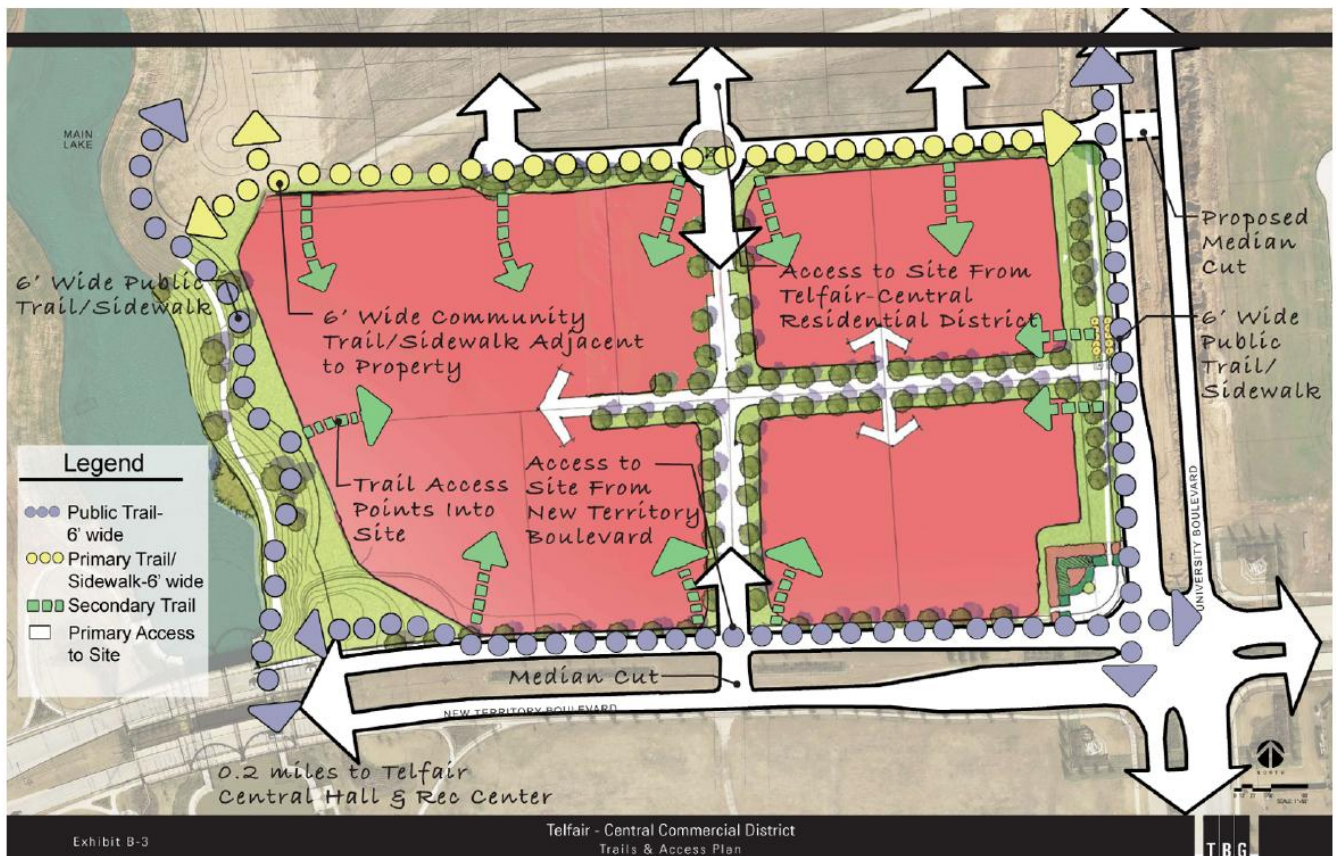
Proposed General Development Plan (Draft – Page 8 of 10)

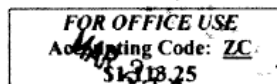
USES	SIC CODE	A	B	C	D	See note:
- Disinfecting and Pest Control Services	7342					
- Medical Equipment Rental	7352					
- Heavy Construction Equipment and Leasing	7353					
- Equipment Rental and Leasing (not elsewhere classified)	7259					
- Detective and Armored Car Services	7381					
Watch, Clock, and Jewelry Repair	7631	X	X	X	X	
Video Tape Rental	7841	X	X	X	X	
Dance Studio and Schools except Dance Halls	7911	X	X	X	X	
Theatrical Producers (except motion picture) & Miscellaneous	7922	X	X	X	X	
Theatrical Services						
Physical Fitness Facilities (10,000 square foot maximum per facility)	7991	X	X	X	X	
Offices & Clinics of Doctors, Dentists, Chiropractors, Optometrists	8011-8043	X	X	X	X	
and Podiatrist						
Legal Services	81	X	X	X	X	
Data Processing Schools	8243	X	X	X	X	3, 5
Business and Secretarial Schools	8244	X	X	X	X	
Vocational Schools (not elsewhere classified)	8249	X	X	X	X	5
Schools and Educational Services (not elsewhere classified), limited to:	8299	X	X	X	X	5
Art Schools (except commercial), Automobile Driving Instruction, Baton Instruction, Bible Schools (not operated by churches), Ceramic Schools, Charm Schools, Civil Service Schools, Continuing Education Schools, Curriculum Development (educational), Diction Schools, Drama Schools, Finishing Schools (charm and modeling), Flying Instruction, Hypnosis Schools, Language Schools, Modeling Schools (clothes), Music Schools, Personal Development Schools, Public Speaking Schools, Reading Schools, Speed Reading Courses, Student Exchange Programs, and Survival Schools						
Child Day Care Services	8351	X	X	X	X	6
Residential Care (homes for elderly/Alzheimer's)	8361	X	X	X	X	7
Museums and Art Galleries	8412	X	X	X	X	
Botanical and Zoological Gardens	8422	X	X	X	X	

Proposed General Development Plan (Draft – Page 9 of 10)

Notes:

1. Use prohibited in district “C” as defined on Exhibit B-1, *General Site Plan* , and in district “D” within 200 feet of the adjacent residential zoning district.
2. Use permitted only in districts “A” and “B” as defined on Exhibit B-1, *General Site Plan* .
3. Use subject to provisions regarding building types and additional development restrictions to be defined in the Final Development Plan.
4. Use permitted only in District “C” as defined on Exhibit B-1, *General Site Plan*.
5. Addition of a maximum square footage requirement, 20,000 sq ft per store
6. Conditions for Day-Care Center:
 - a. Shall be developed in accordance with an approved traffic circulation plan & traffic study, with on-site queing only.
 - b. Must provide dedicated outside or inside play areas, and shall not retrofit parking lots for play areas.
7. Conditions for Residential Care. Any Residential Care facility developed within the PD must provide the following:
 - a. Common food service area;
 - b. Weekly housekeeping service;
 - c. 24-hour on-site courtesy office;
 - d. Wellness center;
 - e. Common leisure/activity area; and
 - f. The maximum number of units will be determined at the Final Development Plan.





**PLANNING DEPARTMENT
PLANNED DEVELOPMENT (PD) DISTRICT REZONING APPLICATION**

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

***DUE TO DETAILS REQUIRED FOR PD DISTRICT APPLICATIONS, STAFF STRONGLY RECOMMENDS A PRE-DEVELOPMENT MEETING PRIOR TO SUBMITTAL**

Applicant

Contact Stan Winter

Address 3050 Post Oak Boulevard, Suite 1100 Houston, Texas 77056

Phone 713.439.0027 Fax 713.439.0067 Email stan.winter@tbg-inc.com

Owner (Note that owner must also sign form if different than applicant)

Contact Keith Behrens

Address 10235 West Little York, Suite 300 Houston, Texas 77040

Phone 713.575.9000 Fax 713.575.9001 Email kbehrens@newlandcommunities.com

Property Legal Description 15.193 acres located in the Alexander Hodge League, A-32, Fort Bend County, Texas See Attached

Lot N/A Block N/A Subdivision N/A

Current Zoning District to be rezoned to PD Dist. Telfair Central Commercial District
or

If a PD District amendment (provide details) _____

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and undersigned is authorized to make this application. **Application expires 6 months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on request.**

☒ See attached signature page

Signature of Applicant (Requires property owners signature if different than owner) _____ Date _____

PD District Application Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☐ Three (3) copies of the completed application
- ☐ Check for \$1,113.25 per Ord. 1701 (non-refundable)
- ☐ Metes and bounds legal description of the site or county slide number of plat, if recorded
- ☐ Two (2) copies at least 11" x 17" in size of the PD Development Plan, including a vicinity map and north arrow on each copy (color drawings not required)
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to PD including detailed use list, PD development plan with lots / reserves, traffic circulation, landscaping, and other pertinent information

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed App. Oct. 2008

Application (Page 2 of 2):



Telfair - by Newland Communities
10235 W. Little York, Suite 300
Houston, Texas 77040

Telephone: 713-575-9000 Fax: 713-575-9001

Signature Page Attachment
City of Sugar Land Planning Department
Planned Development (PD) District Rezoning Application
Telfair Central Commercial District
Dated March 22, 2010

NNP- Telfair, LP
a Texas limited partnership

By: NNP-TV Communities, LP
a Texas limited partnership
Its: General Partner

By: NNP-TV Management, LLC
a Delaware limited liability company
Its: General Partner

By: _____

Name: M. Keith Behrens
Its: Asst. Vice President

Signature Page Attachment

NOTICE OF PUBLIC HEARING
REZONING 15.9 ACRES
TELFAIR CENTRAL COMMERCIAL

PERMANENTLY ZONING 15.9 ACRES TO PLANNED DEVELOPMENT (PD) DISTRICT (GENERAL DEVELOPMENT PLAN), FURTHER DESCRIBED AS BEING THE NORTHWEST CORNER OF NEW TERRITORY BOULEVARD AND UNIVERSITY BOULEVARD

PURPOSE: ONE (1) PUBLIC HEARING SHALL BE HELD AT WHICH ALL PERSONS INTERESTED IN THE PROPOSED PERMANENT ZONING SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD.

WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
2700 TOWN CENTER BOULEVARD NORTH

WHEN: PLANNING AND ZONING COMMISSION MEETING
6:30 P.M., NOVEMBER 09, 2010

DETAILS OF THE PROPOSED PERMANENT ZONING MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND PLANNING OFFICE (281) 275-2218 OR EMAIL PLANNING@SUGARLANDTX.GOV. THE PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M., AND IS LOCATED IN CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT US IF YOU WISH TO SET UP AN APPOINTMENT TO GO OVER ADDITIONAL DETAILS IN PERSON.

Vicinity Map:

